

U.S. Department of Justice



United States Attorney  
Southern District of New York

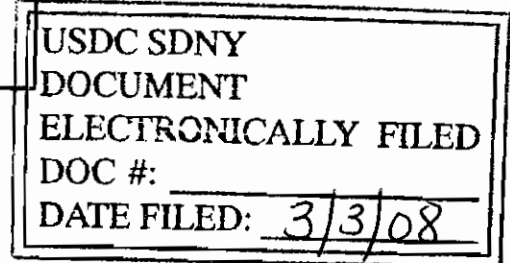
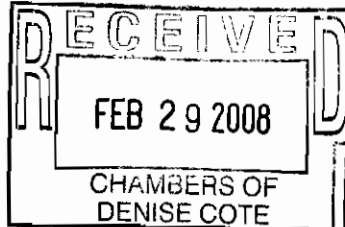
# MEMO ENDORSED

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 28, 2008

## BY MAIL

The Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1040  
New York, New York 10007



Re: United States v. Ricardo Cuesado,  
07 Cr. 799 (DLC)

Dear Judge Cote:

On January 7, 2008, at defense counsel's request, Your Honor ordered that a psychiatric evaluation of the above-referenced defendant be conducted to evaluate his mental competency. The Government has been informed by the United States Marshals that such examination has been completed and a report will be sent to all parties shortly.

The Government therefore respectfully requests a conference in this matter before Your Honor to discuss how to further proceed in this case, and understands that the Court is available on March 28, 2008, at 2:30 p.m. The Government also respectfully requests, with defense counsel's consent, that time be excluded under the Speedy Trial Act from the date of this letter through March 28, 2008, pursuant to 18 U.S.C. § 3161(h)(8)(A), to allow both parties to fully review the psychiatric report, and discuss with each other how to further proceed in this case before appearing before Your Honor.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

*M. M. Rosensaft*  
Michael M. Rosensaft  
Assistant U.S. Attorney  
(212) 637-2366

cc: Sabrina Shroff, Esq.

*Denise Cote*  
*March 3, 2008*

*The best interest of the public  
and the defendant being outweighed  
by these identified interests of  
justice, granted from today  
to March 28. So ordered.*